

1
2
3
4
5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT TACOMA
8

9 UNITED STATES OF AMERICA,
10

11 Plaintiff,

12 v.
13 KEVIN GERALD HEILAND,
14

15 Defendant.
16

17 CASE NO. CR14-5188BHS
18 ORDER
19

20 This matter comes before the Court on Defendant's unopposed motion to continue the
21 pretrial motions deadline and the trial date. The Court, having considered the unopposed motion
22 and declaration of defense counsel and the Defendant's speedy trial waiver, makes the following
findings of fact and conclusions of law:

1 1. A continuance of the trial date is necessary to allow defense counsel adequate time to
2 prepare a pretrial suppression motion in order to properly represent the Defendant.

3 2. The defense needs additional time to explore all relevant issues and defenses
4 applicable to the case, which would make it unreasonable to expect adequate preparation for
5 pretrial proceedings or for trial itself within the time limits established by the Speedy Trial Act
6 and currently set for this case. 18 U.S.C. § 3161(h)(7)(B)(ii).

3. Taking into account the exercise of due diligence, a continuance is necessary to allow the defendant the reasonable time for effective preparation his defense, to explore resolution of this case before trial and to substantially ensure continuity of defense counsel. 18 U.S.C. § 3161(h)(7)(B)(iv).

4. Proceeding to trial absent adequate time for the defense to prepare would result in a miscarriage of justice. 18 U.S.C. §3161(h)(7)(B)(i).

5. The ends of justice served by granting this continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A) and (B).

6. Defendant waived speedy trial through November 30, 2014.

NOW, THEREFORE, IT IS HEREBY ORDERED

That the trial date is continued from July 1, 2014, to September 30, 2014, at 9:00 a.m. Pretrial Conference is set for July 22, 2014, at 10:00 a.m. Pretrial motions are due by June 18, 2014. The resulting period of delay from June 11, 2014, to September 30, 2014, is hereby excluded for speedy trial purposes under 18 U.S.C. § 3161(h)(7)(A) and (B)

Dated this 24th day of June, 2014.


BENJAMIN H. SETTLE
United States District Judge